

MILITARY SERVICE

Convention signed at Washington August 24, 1918

Ratified by Italy October 2, 1918

Senate advice and consent to ratification October 24, 1918

Ratified by the President of the United States November 2, 1918

Ratifications exchanged at Washington and Rome November 12, 1918

Entered into force November 12, 1918

Proclaimed by the President of the United States November 18, 1918

Obsolete

40 Stat. 1633; Treaty Series 637

The President of the United States of America and His Majesty the King of Italy being convinced that for the better prosecution of the present war it is desirable that citizens of the United States in Italy and Italian citizens in the United States shall either return to their own country to perform military service in its army or shall serve in the army of the country in which they remain, have resolved to enter into a Convention to that end, and have accordingly appointed as their Plenipotentiaries:

The President of the United States of America, Robert Lansing, Secretary of State of the United States, and

His Majesty the King of Italy Count Vincenzo Macchi di Cellere, Ambassador Extraordinary and Plenipotentiary to the United States,

who, after having communicated to each other their respective full powers, found to be in proper form, have agreed upon and concluded the following Articles:

ARTICLE I

All male citizens of the United States in Italy and all male citizens of Italy in the United States shall, unless before the time limited by this Convention they enlist or enroll in the forces of their own country or return to the United States or Italy, respectively, for the purpose of military service, be subject to military service and entitled to exemption or discharge therefrom under the laws and regulations from time to time in force of the country in which they are: Provided, that in respect to citizens of the United States in Italy the ages for military service shall be the ages specified in the laws of the

United States prescribing compulsory military service, and in respect to Italian citizens in the United States the ages for military service shall be for the time being twenty to forty-four years, both inclusive.

ARTICLE II

Citizens of the United States and Italian citizens within the age limits aforesaid, who desire to enter the military service of their own country, must enlist or enroll or must leave Italy or the United States, as the case may be, for the purpose of military service in their own country, before the expiration of sixty days after the date of the exchange of ratifications of this Convention, if liable to military service in the country in which they are at said date; or if not so liable, then, before the expiration of thirty days after the time when liability shall accrue; or, as to those holding certificates of exemption under Article III of this Convention, before the expiration of thirty days after the date on which any such certificate becomes inoperative unless sooner renewed; or, as to those who apply for certificates of exemption under Article III, and whose applications are refused, then before the expiration of thirty days after the date of such refusal, unless the application be sooner granted.

ARTICLE III

The Government of the United States and the Government of Italy may, through their respective diplomatic representatives or by other authorities appointed for that purpose by the respective Governments, issue certificates of exemption from military service to citizens of the United States in Italy and Italian citizens in the United States, respectively, upon application or otherwise, within sixty days from the date of the exchange of ratifications of this Convention or within thirty days from the date when such citizens become liable to military service in accordance with Article I, provided that the applications be made or the certificates be granted prior to their entry into the military service of either country. Such certificates may be special or general, temporary or conditional and may be modified, renewed, or revoked, in the discretion of the Government granting them. Persons holding such certificates shall, so long as the certificates are in force, not be liable to military service in the country in which they are.

ARTICLE IV

The Government of the United States and the Italian Government will, respectively, so far as possible, facilitate the return of citizens of Italy and of the United States who may desire to return to their own country for military service, but shall not be responsible for providing transport or the cost of transport for such persons.

ARTICLE V

No citizen of either country who, under the provisions of this Convention, enters the military service of the other shall, by reason of such service, be considered, after this Convention shall have expired or after his discharge, to have lost his nationality or to be under any allegiance to the United States or to His Majesty the King of Italy, as the case may be.

ARTICLE VI

This agreement while in force, holds in abeyance any provisions inconsistent therewith, in the treaty of February 26, 1871,¹ or in any other treaty between the United States and Italy.

ARTICLE VII

The present Convention shall be ratified by the President of the United States of America by and with the advice and consent of the Senate of the United States and by His Majesty the King of Italy, and the ratifications shall be exchanged at Washington or at Rome as soon as possible. It shall come into operation on the date on which the ratifications are exchanged and shall remain in force until the expiration of sixty days after either of the contracting parties shall have given notice of termination to the other; whereupon any citizen of either country incorporated into the military service of the other under this Convention, shall be, as soon as possible, discharged therefrom.

In witness whereof, the respective Plenipotentiaries have signed the present Convention and have affixed thereto their seals.

Done in duplicate at Washington the twenty-fourth day of August in the year of our Lord one thousand nine hundred and eighteen.

ROBERT LANSING	[SEAL]
MACCHI DI CELLERE	[SEAL]

¹ TS 177, *ante*, p. 82.